

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

RONALD PATRICK,

Petitioner,

v.

SECRETARY OF HEALTH
AND HUMAN SERVICES,

Respondent.

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No. 17-922V

Special Master Christian J. Moran

Filed: April 10, 2018

Diana L. Stadelnikas, Maglio Christopher and Toale, Sarasota, FL, for petitioner;
Daniel A. Principato, United States Department of Justice, Washington, DC, for respondent.

UNPUBLISHED RULING FINDING ENTITLEMENT TO COMPENSATION¹

On July 10, 2017, Ronald Patrick filed a petition under the National Childhood Vaccine Injury Act, 42 U.S.C. §300a—10 et. seq., alleging that he suffered Guillain-Barre syndrome (“GBS”) as a result of an influenza vaccine administered on September 1, 2015.

In his Rule 4(c) report, respondent states that “compensation is appropriate in this case.” Resp’t Rep’t, filed Apr. 2, 2018, at 1. Respondent adds that the Division of Vaccine Injury Compensation, Department of Health and Human Services, has reviewed the facts of this case and has concluded that the alleged injury, which has persisted for more than six months, “meets the requirements of the Vaccine Injury Table for GBS following the seasonal flu vaccination” Id. at 5. Accordingly, respondent states, “petitioner has satisfied all legal prerequisites for compensation under the Act.” Id.

Special masters may determine whether a petitioner is entitled to compensation based upon the record. A hearing is not required. 42 U.S.C. § 300aa-13; Vaccine Rule 8(d). Based upon a review of the record as a whole, the undersigned finds that petitioner has established that he is entitled to compensation for his injury.

¹ The E-Government Act, 44 U.S.C. § 3501 note (2012) (Federal Management and Promotion of Electronic Government Services), requires that the Court post this decision on its website. Pursuant to Vaccine Rule 18(b), the parties have 14 days to file a motion proposing redaction of medical information or other information described in 42 U.S.C. § 300aa-12(d)(4). Any redactions ordered by the special master will appear in the document posted on the website.

Accordingly, Mr. Patrick is entitled to compensation. A subsequent order will discuss the next steps in determining Mr. Patrick's compensation.

Any questions may be directed to my law clerk, Matthew Ginther, at (202) 357-6360.

IT IS SO ORDERED.

s/Christian J. Moran

Christian J. Moran

Special Master